IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 7TH AUGUST 2006 / 16TH SRAVANA 1928

Bail Appl..No. 4227 of 2006

CRLMP.1615/2006 of DISTRICT COURT, KASARAGOD
CRIME NO.134/2006 OF KUMBALA POLICE STATION

.....

PETITIONER/1ST ACCUSED

IBRAHIM, AGED 36 YRS,
S/O. KUNMHALI, RESIDING AT BERUVA HOUSE,
ANGADIMUGAR, ANGADIMUGAR VILLAGE,
KASARAGOD TALUK AND DISTRICT.

BY ADV. SRI.I.V.PRAMOD

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4227/2006

DATED THIS THE 7TH DAY OF AUGUST, 2006

O R D E R

The petitioner is the first accused, in crime No.134/2006 of Kumbala Police Station. The offence alleged against the petitioner and others are under Sections 143, 147, 148, 324 and 326 IPC read with Section 149 IPC. It is alleged that the petitioner and others had unlawfully assembled in furtherance of their common intention, and assaulted the defacto complainant and three others, causing fracture on the defacto complainant.

2. The counsel for the petitioner, however, submitted that the petitioner also sustained injuries including the stab injuries. He was admitted and treated in the Kasargode District Co-operative Hospital. Annexure-I is the wound certificate, in respect of the treatment details and the injuries suffered by the defacto complainant. At his instance, crime No.133/2006 of

Kumbala police station, was registered. Therefore, the petitioner is before this Court, under Section 438 Cr.P.C., praying for a pre-arrest order.

3. After considering the materials on record and the submissions made by either side, together with the injuries sustained by the defacto complainant as well as the first accused, I direct the petitioner to appear before the Judicial Magistrate of First Class-I, Kasargode.

4. The learned Magistrate shall consider the bail application, that would be filed by the petitioner, and release him on bail, imposing such conditions, as are deemed necessary by the Magistrate, including the prayer of the prosecution to get him for interrogation.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs